

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
at CHATTANOOGA

JAMES SYSTER,)	
)	
Plaintiff,)	
v.)	No. 1:05-cv-197
)	<i>Edgar</i>
DANIEL GILLEY, Sheriff of Bradley)	
County, Tennessee,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This is a *pro se* prisoner's civil rights action pursuant to 42 U.S.C. § 1983. The matter is before the Court on the plaintiff's motion for judgment by default against the defendant, Sheriff Daniel Gilley. In his complaint, plaintiff alleged a denial of medical care and sought only injunctive relief. After he was served with process and in response to the complaint, Sheriff Gilly sent the Clerk of Court a letter, in which he stated the following:

Please advise the Court the complainant in the above mentioned case, James Syster, is no longer an inmate at the Bradley County Jail, and therefore, the demands set out by him in this action are impossible for us to deliver under any circumstances.

For the record, Mr. Syster was transferred to the custody of the Tennessee Department of Correction per court order at the conclusion of his proceedings in Bradley County Criminal Court.

[Court File No. 9, letter dated September 14, 2005].

The Court will consider the letter from Sheriff Gilley to be his *pro se* answer to the complaint and the Clerk is **DIRECTED** to docket it as such. Accordingly, the motion for judgment by default [Court File No. 8] is **DENIED**.

SO ORDERED.

ENTER this *25th day of October, 2005*.

/s/ R. Allan Edgar

R. ALLAN EDGAR
UNITED STATES DISTRICT JUDGE